

Press Release



KENNETH A. GIBSON

MAYOR

NEWARK, NEW JERSEY

07102

November 10, 1983

Hon. John P. Caufield
Senator
1101 South Orange Avenue
Newark, New Jersey 07106

Dear Senator Caufield:

Jail overcrowding at the Newark municipal lock-up has escalated into a dangerous, volatile condition. We have 50 cells for men and 8 cells for women in our renovated facility. The old lock-up, which was supposed to have been closed last year has 29 spaces with no showers. It is unsanitary and breeds crime and disease, but we cannot close it because our average daily prisoner population has been around 150.

We are in violation of nearly all penal standards because of the overcrowding. It would not surprise us if the State were to condemn these facilities; they have already condemned our other facilities as unfit. Moreover, the courts would be well within their rights to close us down, as has been done in other states.

The cause of our overcrowding is the County of Essex. The County has refused to accept the prisoners who have been arraigned and/or sentenced, although the law is very explicit in that the County is obligated to take all prisoners -- even those who have not yet been arraigned.* The City of Newark is under no legal obligation to maintain any jail; we do so merely as a convenience for our Municipal Court. As such, our jail space is designed for temporary (less than 24 hour) holding.

The Essex County Jail and the Jail Annex in Caldwell were designed for long detention periods. Yet, the County refuses to meet its obligations by accepting the prisoners who are their responsibility.

*N.J.S. 2A:8-17 and 30:8-1

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When the County retains prisoners who are the State's responsibility, the State pays the County \$42.95 per day per prisoner as a maintenance cost. When the City retains County prisoners, we get nothing. Naturally, the County would be more interested in filling its facilities with State inmates because of the additional revenue. The County gets no added revenue for its own prisoners and the fixed costs of maintaining their County facilities are the same no matter who the inmates are. Thus, the County may be making a profit of \$42.95 per day per State prisoner. There is room at the County facilities for State prisoners because the County will not accept its own prisoners from the City of Newark. As a result, the City is overburdened and must pay the added costs for security, food, health services and maintenance of County prisoners in City facilities. This has been costing us about \$40 a day per County prisoner.

The average number of County prisoners in Newark facilities has been over 120 a day. At \$40 a day, it has been costing the City of Newark \$4800 a day or \$1.7 million a year to keep County prisoners. In other words, we are subsidizing the County's windfall from the State.

There already exists legislation requiring the County to accept its prisoners from the municipalities, but we need legislation which would require counties that do not accept their prisoners to reimburse the municipalities holding them. The reimbursement should be at the same rate as that paid by the State to counties for holding State prisoners. By copy of this letter, I am asking that you and Senator Lipman introduce such a bill.

As you know, I have announced the necessity for lay-offs of City employees effective this January. If the legislation I am requesting were enacted, 50 to 75 City employees will not have to lose their jobs. There is no way that the City of Newark can continue to shell out \$1.7 million a year to subsidize the County, and still maintain municipal services.

Please give this matter your urgent attention.

Thank you for your continued cooperation.

Sincerely,

Kenneth A. Gibson
Mayor

KAG:pa

cc: Senator Wynona M. Lipman